

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

COMPRESSION LABS, INC.,

Plaintiff,

-against-

1. DELL INC.,
2. INTERNATIONAL BUSINESS MACHINES CORPORATION,
3. TOSHIBA AMERICA, INC.,
4. TOSHIBA AMERICA CONSUMER PRODUCTS LLC,
5. TOSHIBA AMERICA INFORMATION SYSTEMS, INC.,
6. TOSHIBA AMERICA ELECTRONIC COMPONENTS, INC.,

C. A. No. 2:04-CV-159-DF

Defendants.

[PROPOSED] ORDER GRANTING MOTION OF TOSHIBA DEFENDANTS TO DISMISS PURSUANT TO RULE 12(b)(1) OR, IN THE ALTERNATIVE, TO TRANSFER

Defendants Toshiba America Consumer Products, L.L.C. (“TACP”), Toshiba America Information Systems, Inc. (“TAIS”), and Toshiba America Electronic Components, Inc. (“TAEC”) brought a Motion to Dismiss Pursuant to Rule 12(b)(1) or, in the Alternative, to Transfer. Having considered all papers submitted regarding this motion and any argument of counsel, this Court hereby ORDERS that the motion is GRANTED.

[The complaint filed in this action as against TACP, TAIS, and TAEC is DISMISSED.]

[The action as against TACP, TAIS, TAEC, and Toshiba America, Inc. is TRANSFERRED to the District of Delaware.]

It is so ordered.

SIGNED this _____ day of _____, 2004.

United States District Judge